

## **REMARKS/ARGUMENTS**

The Applicants have carefully considered this application in connection with the Examiner's Action and respectfully request reconsideration of this application in view of the foregoing amendment and the following remarks.

The Applicants originally submitted Claims 1-37 in the application. Pursuant to a restriction requirement, the Applicants have canceled claims 17-37. The Applicants have amended Claims 1, 2, 4, 5, 6, 8 and 9 and have canceled Claim 15. Accordingly, Claims 1-14 and 16 are currently pending in the application.

### **I. Rejection of Claims 1-14 and 16 under 35 U.S.C. §103**

The Examiner has rejected Claims 1-14 and 16 as being unpatentable under 35 U.S.C. §103(a). Claims 1-6, 8, 9, 11-14 and 16 are rejected as being unpatentable over U.S. Patent No. 6,687,241 to Goss in view of U.S. Patent No. 6,517,587 to Satyavolu, *et al.* (Satyavolu). As the Examiner is no doubt aware, determination of obviousness requires consideration of the invention considered as a whole; the inquiry is not whether each element exists in the prior art, but whether the prior art made obvious the invention as a whole. Furthermore, there must be some suggestion or teaching in the art that would motivate one of ordinary skill in the art to arrive at the claimed invention; a reference that teaches away from a claimed invention strongly indicates nonobviousness.

Moreover, to establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally,

the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on Applicant's disclosure.

Goss describes a system that enables customers to submit call-back requests to agents located at any one of a plurality of call centers via the Internet, or any other communications technology available. Goss does not describe a system that enables a communications connection to a call processing network via a global data communications network utilizing voice and at least one other means selected from a group consisting of e-mail message transmission means, chat message transmission means, facsimile transmission means, digital video transmission means and digital voice transmission means. Satyavolu does not overcome this shortcoming in Goss. Therefore, Goss, individually or in combination with Satyavolu, fails to teach or suggest the invention recited in independent Claim 1 and its dependent claims, when considered as a whole. Claims 1-6, 8, 9, 11-14 and 16 are therefore not obvious in view of Goss and Satyavolu.

The Examiner rejected Claim 7 as being unpatentable over Goss in view of Satyavolu and U.S. Patent No. 6,330,327 to Lee, *et al.* (Lee). Claim 7 is dependent on Claim 1, which is not obvious for the reason set forth above. The shortcoming of Goss is not overcome by Lee. Therefore, because Goss, individually or in combination with Satyavolu and Lee, fails to teach or suggest the invention recited in independent Claim 1, its dependent Claim 7 is also not obvious.

The Examiner rejected Claim 10 as being unpatentable over Goss in view of Satyavolu and U.S. Patent No. 6,707,899 to Saito, *et al.* (Saito). Claim 10 is dependent on Claim 1, which is not obvious for the reason set forth above. The shortcoming of Goss is not overcome by Saito.

Therefore, because Goss, individually or in combination with Satyavolu and Saito, fails to teach or suggest the invention recited in independent Claim 1, its dependent Claim 10 is also not obvious.

In view of the foregoing remarks, the cited references do not support the Examiner's rejection of Claims 1-14 and 16 under 35 U.S.C. §103(a). The Applicants therefore respectfully request the Examiner withdraw the rejection.


## **II. Conclusion**

In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 1-14 and 16.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application.

Respectfully submitted,

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